

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

LALAIE JOHNSON, ET AL.	§	
v.	§	CIVIL ACTION NO. 6:08CV166
HONG SHEN, ET AL.	§	

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

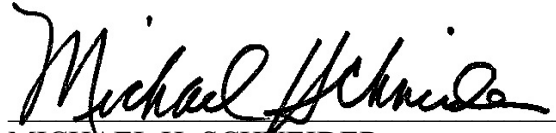
The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed with prejudice. Plaintiffs filed [written objections](#) on May 28, 2008.

Having made a *de novo* review of the written objections filed by Plaintiffs, the Court finds that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. Plaintiffs have not alleged facts showing a basis for federal court jurisdiction. Instead, Plaintiffs assert a negligence claim pursuant to State law. The findings and conclusions of the Magistrate Judge are hereby adopted as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is **DISMISSED** with prejudice for lack of subject matter jurisdiction. Any motion not previously ruled on is **DENIED**.

SIGNED this 3rd day of June, 2008.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE